

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
Danville Division**

UNITED STATES OF AMERICA

v.

Criminal Case No. 4:04-CR-70083-002

ANTHOINE PLUNKETT

DEFENDANT PLUNKETT'S REQUEST PURSUANT TO RULE 12(b)(4)(B)

COMES NOW Defendant Anthoine Plunkett, by counsel, pursuant to Rule 12(b)(4)(B) of the Federal Rules of Criminal Procedure, and requests notice of the Government's intent to use in its case in chief at trial any evidence that Defendant may be entitled to discover under Rule 16 of the Federal Rules of Criminal Procedure (in particular, but not limited to, matters discoverable pursuant to Rules 16(a)(1)(A), (B) and (E)) in order that Defendant will have an opportunity to move to suppress that evidence pursuant to Rule 12(b)(3)(C) of the Federal Rules of Criminal Procedure.

/s/ Roger D. Groot
Anthoine Plunkett
By counsel

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CERTIFICATE OF SERVICE

I hereby certify that I have this 22 day of February, 2005, electronically filed Defendant Plunkett's Request Pursuant to Rule 12(b)(4)(B) with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following: Anthony P. Giorno, Esq., Craig J. Jacobsen, Esq., Counsel for the Government, and William H. Cleaveland, Esq., James C. Turk, Jr., Esq., Thomas M. Blaylock, Esq., and Thomas Scott, Jr., Esq., counsel of record for the defendants.

/s/ Roger D. Groot